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LAW OFFICES OF JAMES J. RALABATE **5792 MAIN ST. WILLIAMSVILLE, NY 14221**

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OFFICE OF PETITIONS

In re Application of

Schultz, Robert G.

Application No. 09/677,569

Filed: October 2, 2000

Attorney Docket No. XIP 48

DECISION ON PETITION

TO WITHDRAW

FROM RECORD

This is a decision on the request to withdraw as attorney of record under 37 C.F.R. § 1.36, filed August 16, 2005.

The request is **NOT APPROVED**.

A grantable request to withdraw as attorney of record must be signed by every attorney seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. A request to withdraw will not be approved unless at least 30 (thirty) days would remain between the date of approval and the later of the expiration date of a time to file a response or the expiration date of the maximum time period which can be extended under 37 C.F.R. § 1.136(a).

The request cannot be approved because the reason for the request provided does not clearly fall into the categories set forth by MPEP 10.40.

All future communications from the Office will be directed to the below-listed address until otherwise notified by applicant.

Telephone inquires concerning this decision should be directed to Petitions Examiner Liana Chase at 571-272-3206.

Denise Pothier **Petitions Examiner** Office of Petitions

Cc: XYBERHAUT CORPORATION

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